REMARKS

Claims 1-23 are all the claims pending in the application.

Applicants submit a new title that is clearly indicative of the invention to which the claims are directed. Thus, Examiner is requested to withdraw the objection to the specification raised in the September 13, 2007 Office Action.

Claim rejections

Claims 1-3, 10-11 and 14-23 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Cao et al. "Cao" (US 7,218,947). Claims 4-9 and 12-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Cao in view of Bjorn (GB 231179). Applicants traverse the rejections for at least the following reasons.

In the Amendment filed March 11, 2008, Applicants submitted that Cao does not disclose "receiving, by a first network element that transmits to mobile terminals, at least one information element from at least one other second network element, wherein said information element indicates an initial transmission power for transmission to a mobile terminal, in a case of radio link reconfiguration between said first network element and said mobile terminal, which changes the transmission power for said radio link." In response, the Examiner asserts that Cao teaches these features in column 3, line 55 - column 4, line 24. Applicants respectfully disagree for at least the following reasons.

Cao relates to a telecommunications network system in which the base station, upon receiving a command to transfer to or add another uplink channel for communicating user data, allocates uplink channel after power level adjustment is undertaken (Abstract). In the cited

portions, Cao discloses a radio network controller RNC sending a radio link reconfiguration prepare message to the base station (Node B). The message includes an enquiry information element in respect of its synchronization capability. In response, the base station sends a message to the RNC indicating synchronization capability of the base station. The RNC determines the time required for rerunning a power control loop (Power Control Preamble time Period {PCP length}). A radio bearer reconfiguration message including information elements indicative of PCP length, and activation time is then sent from the RNC, passed via base station to the mobile station (column 3, line 55 - column 4, line 19).

However, the cited portion in Cao does not disclose receiving, by a first network element that transmits to mobile terminals, at least one information element from at least one other second network element, wherein said information element indicates an initial transmission power for transmission to a mobile terminal, in a case of radio link reconfiguration between said first network element and said mobile terminal, which changes the transmission power for said radio link.

In particular, the radio link reconfiguration prepare message indicates how much time would be required to adjust its reception time so as to bring its capturing of received data from the mobile station into line with the timing of the data transmitted from the base station. Further, the information element included in the radio bearer reconfiguration message indicates a Power Control Preamble Length (PCP length). However, these information elements do not indicate **initial transmission power for transmission to a mobile terminal** as recited in claim 1.

That is, even though Cao discloses a reconfiguration message, Cao merely discloses that the RNC determines and sends information indicating the time required for rerunning a power control loop, the power control preamble time period (PCP length), with the reconfiguration message (column 3, line 66-column 4, line 3). The power control preamble length is the time required for inner loop power control, which compensates for fluctuations due to mobile station movement and consequent fading (column 4, lines 13-20). Therefore, Cao discloses a time required for inner loop power control; rather than an initial transmission power for transmission to a mobile station, in a case of radio link reconfiguration between said first network element and said mobile terminal which changes the transmission power for said radio link.

In view of the above, Applicants respectfully submit that claim 1 is allowable over the cited reference.

Claim 17-20

Claim 17-20 recite subject matter analogous to claim 1, and therefore they are also allowable for at least the similar reasons discussed above with regard to claim 1.

Claims 2-3, 10-11, 14-16 and 23

Claims 2-3, 10-11, 14-16 and 23 depend from one of the independent claims that have been shown to be allowable, and therefore are also allowable at least by virtue of their dependency and the additional limitations therein.

Claims 4-9 and 12-13

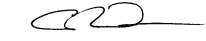
Applicants respectfully submit that since claims 4-9 and 12-13 depend from claim 1 and since Bjorn does not cure the deficiency noted above with respect to claim 1, claims 4-9 and 12-13 are also allowable at least by virtue of their dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Christopher R. Lipp
Registration No. 41,157

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: December 23, 2008